

**CUSTOMER NO.: 24498**  
**Serial No.: 10/813,973**  
**Office Action dated: 03/24/08**  
**Response dated: 07/31/08**

**PATENT**  
**PA030012**

**Remarks/Arguments**

**35 U.S.C. §103**

Claims 1-4, and 6-10, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Oya (U.S. Patent No. 6,421,098 B1), in view of Perlman et al. (U.S. Patent No. 2007/0147406 A1) ("Perlman").

The present invention, as recited by claim 1, describes a video apparatus comprising: a receiver for converting an RF signal into a video signal; processing means receiving the video signal and outputting a compression encoded stream based on the video signal; an indicator of a characteristic of the RF signal; control means for adjusting the processing means based on the indicator.

It is respectfully asserted that Oya and Perlman, alone or in combination, fail to disclose "processing means receiving the video signal and outputting an encoded stream based on the video signal," or "control means for adjusting the processing means based on the indicator," as described in claim 1.

Oya teaches a system where "optimal RF AGC points are individually set for a terrestrial digital television signal and a CATV digital signal. A switch is changed according to whether an input signal is a terrestrial digital television signal or a CATV digital signal. If the terrestrial digital television signal is input, the voltage for setting the RF AGC point is set to a reference voltage V1 output from a first reference power supply source. If the CATV digital signal is input, the voltage for setting the RF AGC point is set to a reference voltage V2 output from a second reference power supply source. A comparator then outputs an RF AGC signal according to a difference between an IF AGC signal and the reference voltage." (Oya Abstract)

The Office Action asserts that Oya discloses "all the claimed subject matter, note 1) the claimed a receiver for converting an RF signal into a video signal is met by the digital television signal receiver (Fig. 3, col. 3, line 62 to col. 4, line 50), 2) the claimed processing means receiving the video signal and outputting an encoded stream based on the video signal is met by the digital demodulator 16 (Fig. 3, col. 4, lines 9-50), 3) the claimed an indicator of a characteristic of the RF signal is met by the tuner 12 which controls the gain of the IF signal based on RF AGC signal transmitted from the IF AGC amplifier 14 (Fig. 3,

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col. 3, line 62 to col. 4, line 50), and 4) the claimed control means for adjusting the processing means based in the indicator is met by the IF AGC amplifier 14 (Fig. 3, col. 4, line 9 to col. 6, line 32). However, Oya does not specifically disclose the newly added limitation that the processing means receives the video signal and outputs a compression encoded stream.” (Office Action, pages 2-3)

It is respectfully submitted that Oya fails to disclose “processing means receiving the video signal and outputting an encoded stream based on the video signal,” as described in claim 1. The digital demodulator 16 of Oya is part of the receiver, as admitted by Examiner, and receives a digital IF input signal and demodulates it into an image signal. In contrast, the present invention receives an image signal and outputs a compression encoded stream, which is the opposite of the purpose of the digital demodulator 16 of Oya. Therefore, Oya fails to disclose “processing means receiving the video signal and outputting a compression encoded stream based on the video signal,” as described in claim 1.

Further, it is respectfully submitted that Oya fails to disclose “control means for adjusting the processing means based on the indicator,” as described in claim 1. The IF AGC amplifier of Oya neither receives an indicator from tuner 12 nor adjusts the digital demodulator, as described in the present invention. The digital demodulator provides an IF AGC signal to control the IF AGC amplifier 14 and the IF AGC amplifier 14 provides an RF AGC signal to the tuner 12 for controlling tuner 12. Additionally, the tuner 12 of Oya acts as a control means for adjusting something based on the indicator RF AGC signal. However, this adjustment is the gain of the output signal of the tuner 12. In contrast, the present invention discloses in claim 1 a video apparatus comprising adjusting the processing means based on the indicator. Therefore, Oya fails to disclose “control means for adjusting the processing means based on the indicator,” as described in claim 1.

Perlman teaches “a computer-implemented method is disclosed including: receiving a broadcast signal containing a set of multiplexed multimedia channels; storing said multiplexed multimedia channels in a temporary storage buffer on a mass storage device; determining a point in said temporary storage buffer to begin demultiplexing and decoding a first channel responsive to a user request to view a particular program on said first channel in its entirety, said point indicating the start of said program on said first channel;

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and demultiplexing and decoding said first channel of said set of multiplexed multimedia channels from said point within said temporary storage buffer.” (Perlman Abstract)

The Office Action asserts that Perlman teaches “a television receiver having compression module for compressing the signal before storing it to the mass storage device (Fig. 9, element 906, page 4, paragraph #0044).” (Office Action, page 3)

Perlman does not disclose, nor does the Office Action assert it discloses, a video apparatus comprising processing means for receiving a video signal, compressing the video signal and outputting a compression encoded stream, as described in claim 1. Therefore, Perlman, like Oya, fails to disclose “processing means receiving the video signal and outputting a compression encoded stream based on the video signal,” as described in claim 1.

Also, Perlman does not disclose, nor does the Office Action assert it discloses, a video apparatus comprising control means for adjusting the processing means based on the indicator, as described in claim 1. Therefore, Perlman, like Oya, fails to disclose “control means for adjusting the processing means based on the indicator,” as described in claim 1.

In view of the above Remarks, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Oya or Perlman, alone or in combination, that makes the present invention as claimed in claim 1 unpatentable. Since dependent claims 2-4 and 6-10 are dependent from allowable independent claim 1, it is submitted that they too are allowable for at least the same reasons that claim 1 is allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claims 5 and 11-15, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Oya (U.S. Patent No. 6,421,098 B1), in view of Perlman et al. (U.S. Patent No. 2007/0147406 A1), as applied to claims 1-4 and 6-10 above, and further in view of Krishnamurthy et al. (U.S. Patent No. 5,508,748).

Since dependent claims 5 and 11-15 are dependent from independent claim 1, which is allowable for the reasons described above, it is submitted that they too are allowable for at least the same reasons that claim 1 is allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner’s rejections it is believed that, in view of the preceding Remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of

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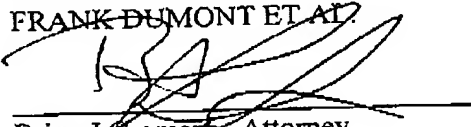
the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Please charge the \$460 fee for the Petition for a Two Month Extension, and any other cost that may be due, to Deposit Account No. 07-0832.

Respectfully submitted,

FRANK DUMONT ET AL.

By:

  
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